

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

AUNHK RA AUNHKHOTEK,

Plaintiff,

v.

OFFICER JOSEPH KOPFENSTEINER,

et al.,

Defendants.

Case No. 4:23 CV 540 RWS

MEMORANDUM AND ORDER

In this 42 U.S.C. § 1983 action, plaintiff, who appears pro se, has moved for summary judgment¹ on all counts alleged in his complaint. However, he has failed to present any evidence or argument with respect to damages on any of his claims. Given plaintiff's pro se status, in the interests of justice I will permit plaintiff to supplement his motion for summary judgment by providing evidence and argument with respect to damages. Such evidence must include plaintiff's Rule 26 disclosures and must separately identify any and all damages sustained with respect to each claim and each defendant. Defendant will be permitted to file an opposition to the supplemental motion, and plaintiff will be given an opportunity to file a reply brief in support of the supplemental motion.

¹ He does not seek partial summary judgment on issues of liability only.

With this additional briefing opportunity, the parties are again given notice that the Court may grant judgment independent of a summary judgment motion on the issue of damages or on grounds not raised by a party. Fed. R. Civ. P. 56(f).

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall supplement his motion for summary judgment on the issue of damages as set forth above by no later than **November 15, 2024**.

IT IS FURTHER ORDERED that defendants shall file their opposition to plaintiff's supplement in support of summary judgment no later than **December 6, 2024**. Plaintiff may file any reply brief in support of summary judgment no later than **December 13, 2024**.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 29th day of October, 2024.